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DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Barry Kelmachter on 6/18/10.

The following changes have been made:

- a. Claim 24, end of line 7, change "an" to --at least one of n different—
- b. Claim 24, line 8, change "chamber" to – chambers --.
- c. Claim 32, end of line 5, change "an" to --at least one of n different—
- d. Claim 32, line 6, change "chamber" to – chambers --.

Allowable Subject Matter

2. Claims 24-35 and 37-47 are allowed.
3. The following is an examiner's statement of reasons for allowance:

Re claims 24 and 32, the independent claim includes "transferring by gravity identical volumes of **each sample drawn into a sealed common mixing container**" in combination with the remaining claim limitation is not taught and/or made obvious by the prior art. **As noted in remarks, pages 2-4 received on 5/25/10**, Weibel et al., considered closest to related art, teaches

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transferring a raw material into an open-ended pre-mixing space (8). If the pre-mixer (8) was sealed one could not transfer the raw material into the pre-mixing space (8).

Re claim 35, the independent claim includes “a sealed mixing chamber being disposed under said at least one intermediated sampling chamber so that the samples of liquid contained in the at least one intermediate sample chamber flow by gravity into the sealed mixing chamber” in combination with the remaining claim limitation is not taught and/or made obvious by the prior art. **As noted in remarks, pages 2-4 received on 5/25/10**, Weibel et al., considered closest to related art, teaches in fig. 1, transferring a raw material into an open-ended pre-mixing space (8). If the pre-mixer (8) was sealed one could not transfer the raw material into the pre-mixing space (8).

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to TAMIKO D. BELLAMY whose telephone number is (571)272-2190. The examiner can normally be reached on Monday - Friday 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hezron Williams can be reached on (571) 272-2208. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Hezron Williams/
Supervisory Patent Examiner, Art Unit
2856

Tamiko Bellamy
/TB/
June 12, 2010